

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA, <i>et al.</i>)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:05-cv-00329-GKF-PJC
)	
TYSON FOODS, INC., <i>et al.</i>)	
)	
Defendants.)	
)	

**DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION TO EXCLUDE
DEFENDANTS' EXPERT REPORT REGARDING THE FEASIBILITY OF
PLAINTIFFS' HYPOTHETICAL ALUM REMEDIATION STRATEGY (Dkt. No. 2242)**

EXHIBIT 4

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THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL)
OF THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,))
in his capacity as the)
TRUSTEE FOR NATURAL RESOURCES))
FOR THE STATE OF OKLAHOMA,)
)
Plaintiff,)
)
vs.) No. 4:05-CV-00329-TCK-SAJ
)
TYSON FOODS, INC., et al,)
)
Defendants.)

- - - - -

VOLUME I VIDEOTAPED DEPOSITION OF JOHN
PATRICK CONNOLLY, produced as a witness on behalf of
the State, in the above styled and numbered cause,
taken on the 8th day of April, 2009, in the City of
Tulsa, County of Tulsa, State of Oklahoma, before me,
Marlene Percefull, Certified Shorthand Reporter, duly
certified under and by virtue of the laws of the State
of Oklahoma.

TULSA FREELANCE REPORTERS
918-587-2878

1 (Whereupon, the deposition began at
2 9:10 a.m.)

3 THE VIDEOGRAPHER: We are now on the record
4 for the deposition of John Connolly. Today is April 8,
5 2009. The time is 9:00 a.m. Would counsel please 9:00AM
6 identify themselves for the record?

7 MR. PAGE: David Page representing the State
8 of Oklahoma and with me today is Dr. Roger Olsen.

9 MR. TODD: Gordon Todd for the Tyson
10 companies. 9:00AM

11 MR. BASSETT: Woody Bassett for the George's
12 defendants.

13 MR. ELROD: John Elrod for Simmons.

14 THE VIDEOGRAPHER: Thank you. The witness
15 may be sworn. 9:00AM

16 JOHN PATRICK CONNOLLY,
17 having first been duly sworn to testify to the truth,
18 the whole truth and nothing but the truth, testified as
19 follows:

20 DIRECT EXAMINATION 9:10AM

21 BY MR. PAGE:

22 Q Dr. Connolly, would you give us your full name and
23 address, please?

24 A Yes. John Patrick Connolly, 3 Fairmont,
25 F-A-I-R-M-O-N-T, Terrace, West Nyack, N-Y-A-C-K, New 9:00AM

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918-587-2878

1 Appendix A to your report? 9:54AM

2 A Yes.

3 Q Okay. So please consider -- continue.

4 A I have a master's degree in environmental
5 engineering from Manhattan College. And I have a Ph.D. 9:54AM
6 in environmental health engineering from the University
7 of Texas.

8 Q Okay, sir. Have you testified before in other
9 cases or litigation involving environmental issues?

10 A Yes. 9:54AM

11 Q Okay. What I'd like you to do for me is maybe do
12 a reverse order, start with the most recent and -- and
13 then tell me the case you testified in and the subject
14 matter, principal subject matter you testified
15 concerning, okay? 9:55AM

16 A I testified in a case where the U.S. Navy and
17 Grumman Corporation were being sued by the Town of
18 Oyster Bay for PCB contamination found in a park owned
19 by the town of Oyster Bay adjacent to the Grumman
20 facility. 9:55AM

21 Q Okay. When was this?

22 A About a year and a half ago.

23 Q And was it deposition testimony that you gave in
24 that case?

25 A Yes. 9:55AM